



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

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G. Ruie

February 18, 2004

CERTIFIED MAIL

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RETURN RECEIPT REQUESTED

NOTICE OF PAST VIOLATION

P.H. Precision Products Corporation
340 Commerce Way
Pembroke, New Hampshire 03275

Paul G. Hoeker, President

**P.H. Precision Products Corporation
Pembroke, New Hampshire
EPA ID No. NHD986473965**

Dear Mr. Hoeker:

On June 27 & 30, 2003, the Department of Environmental Services, Waste Management Division ("DES") conducted an inspection of P.H. Precision Products Corporation ("PHPP"). The purpose of the inspection was to determine PHPP's compliance status relative to RSA Ch. 147-A and the New Hampshire Hazardous Waste Rules, Env-Wm 100-1100.

As a result of the inspection and review of the information provided to DES, the following deficiencies were documented:

1 Env-Wm 502.01 - Hazardous Waste Determination

At the time of the inspection, PHPP had not performed site-specific waste determinations for the following facility wastes:

- (a) Waste "Oily Sludge" mixture generated by the Waste Water Treatment Unit; and
- (b) Waste "Mineral Spirits/Kerosene/Oil" mixture generated in the Ultrasonic Washing Room.

Env-Wm 502.01 requires that all generators of waste determine if their waste is a hazardous waste. Waste determined to be hazardous must be handled pursuant to the requirements of the Hazardous Waste Rules.

DES requested that PHPP perform hazardous waste determinations for the wastes identified above. These determinations were requested to be made using analytical testing, including, at a minimum:

- (a) Toxicity Characteristic Leaching Procedure for RCRA metals under Env-Wm 403.06 for the waste "Oily Sludge" mixture; and
- (b) Toxicity Characteristic Leaching Procedure for RCRA metals under Env-Wm 403.06 and ignitability under Env-Wm 403.03 for the waste "Mineral Spirits/Kerosene/Oil" mixture.

PHPP will need to provide the results of the hazardous waste determination, along with any other supporting data, such as chemical analyses, to DES. In the event wastes are determined to be hazardous, PHPP must manage the wastes in accordance with the State of New Hampshire Hazardous Waste Rules. This includes proper storage of marked closed containers on impervious surfaces; assigning appropriate hazardous waste number(s) to the waste; as well as delivery of waste for disposal to a facility authorized to handle the hazardous waste. Alternatively, if the wastes are determined to be non-hazardous, PHPP may dispose of them as a solid waste.

In an August 12, 2003 submittal from Mr. Paul G. Hoeker, President, documentation was provided demonstrating that the above-mentioned wastes were non-hazardous. No further action is required.

2. Env-Wm 509.02(a)(1) – General Inspection Requirements

At the time of the inspection, DES inspectors confirmed that PHPP had not documented the inspections of the hazardous waste storage areas from the period of March 14, 2002 through January 16, 2003, for a total of forty-two (42) weeks.

Env-Wm 509.02(a)(1), which references 40 CFR 265.15, General Inspection Requirements, requires full quantity generators to conduct and document inspections of the facility, including the hazardous waste storage area(s). Per 40 CFR 265.15(d), the inspection records must include the date and time of the inspection, the name of the inspector, a notation of the observations made, and the date and nature of any repairs or other remedial actions taken.

DES requested that PHPP continue to record in an inspection log or summary, inspections of its hazardous waste storage areas. DES also requested that PHPP submit a copy of the facility's most recent inspection log to DES.

During a January 7, 2004 follow-up visit, DES inspectors confirmed that PHPP is currently conducting and documenting weekly inspections of the facility, including the hazardous waste storage area. No further action is required.

3. Env-Wm 509.02(a)(2), Env-Wm 509.03(b) – Personnel Training

A review of PHPP's personnel training program revealed the following deficiencies

- (a) Emergency Coordinators Paul Hoeker, Richard Hoeker, and Teo Arica, had not received hazardous waste training. Also, Hazardous Waste Handler and Emergency Coordinator John Nally had not taken part in annual hazardous waste training reviews in the years 1999, 2000, 2001, and 2003.
- (b) Hazardous Waste Handler Matthew Longual, who is responsible for managing the facility's Hazardous Waste Storage Area, had not taken part in annual hazardous waste training reviews in the years 2000, 2001, and 2003.
- (c) Mike Shuman, who is responsible for the management of hazardous waste satellite containers, had not received hazardous waste training.
- (d) Richard Taylor, who is responsible for signing hazardous waste manifest documents, had not received hazardous waste training.
- (e) PHPP's facility training records failed to document a training program which includes a list of hazardous waste job titles, job descriptions, descriptions of introductory and continuing training to be provided for each position, and names of employees filling each position.

Env-Wm 509.02(a)(2) and Env-Wm 509.03(b), which reference 40 CFR 265.16, Personnel Training, requires full quantity generators to maintain a personnel training program. This includes, but is not limited to, ensuring that reviews are conducted for personnel handling hazardous waste. Env-Wm 509.02(a)(2) also requires full quantity generators to maintain at the facility, specific documents and records related to personnel training.

DES requested that PHPP conduct and document hazardous waste training and annual updates for the Emergency Coordinators, employees who handle hazardous waste, and employees that sign hazardous waste manifest documents. DES also requested that PHPP maintain, as part of the facility training program, documents of hazardous waste job titles, job descriptions, and names of employees filling each position and correct any deficiencies as identified in the enclosed Full Quantity Generator Module. Lastly, DES requested that PHPP submit a copy of this personnel training program to DES.

During the January 7, 2004 follow-up visit and in a subsequent January 14, 2004 PHPP submittal, documentation was provided substantiating that employees with hazardous waste management duties had received hazardous waste training. The January 14, 2004 PHPP submittal also provided a written personnel training program which included a list of hazardous waste job titles, job descriptions, descriptions of introductory and continuing training to be provided for each position, and names of employees filling each position. No further action is required.

4. Env-Wm 509.02(a)(5) – Contingency Plan

A review of PHPP's contingency plan revealed deficiencies regarding the following:

- (a) The location of facility emergency equipment, a physical description of each item, and a brief outline of the equipment capability;
- (b) A description of the signal(s) used to begin evacuation, and a description of primary and alternate evacuation routes;
- (c) Provisions to ensure that the Emergency Coordinators are familiar with all aspects of the plan, facility, operations and wastes;
- (d) Providing that possible hazards to human health and the environment, as a result of any emergency situation, are assessed;
- (e) Provisions to immediately notify DES or the New Hampshire Department of Safety Police Dispatch if human health or the environment is threatened;
- (f) Provisions to immediately notify either the local fire chief or the National Response Center in the event of an emergency;
- (g) Providing vital information concerning any possible hazards to human health or the environment, outside the facility, during an emergency;
- (h) Provisions to ensure that fires or releases of hazardous waste will not spread (*i.e.* by halting operations);
- (i) Provisions to monitor facility equipment if there is a work stoppage; and
- (j) The facility contingency plan did not list specific elements to be included in a 15 day report, listed in 40 CFR 265.56(j), that address details of the incident.

Env-Wm 509.02(a)(5), which references 40 CFR 265, Subpart D, requires full quantity generators to maintain a complete contingency plan at the site.

DES requested that PHPP revise and update its contingency plan to correct any deficiencies as identified in the enclosed Contingency Plan Module.

During the January 7, 2004 follow-up visit and in the subsequent January 14, 2004 PHPP submittal, documentation was provided demonstrating that PHPP's contingency plan was complete. No further action is required.

5. Env-Wm 509.02(b) – Emergency Posting

At the time of the inspection, PHPP's emergency posting was incomplete and was not present at the nearest telephone to the hazardous waste storage area.

Env-Wm 509.02(b) requires that full quantity generators shall post a list of the steps to take if an emergency occurs and the following emergency numbers at the nearest telephone to the hazardous waste storage area:

- (a) The emergency coordinators (home and office);
- (b) The fire department, police department, and State of New Hampshire and local emergency response teams that may be called upon to provide emergency services, unless the facility has a 24-hour response team designated to provide emergency services whose number is posted; and
- (c) The location of fire extinguishers and spill control material, and if present, fire and internal emergency alarms.

DES requested that PHPP post the required information at the nearest telephone to the hazardous waste storage area.

During a January 7, 2004 follow-up visit, DES inspectors confirmed that a complete emergency posting was present at the nearest telephone to PHPP's hazardous waste storage area. No further action is required.

6. Env-Wm 509.03(g) – Satellite Storage Container Marking

During the inspection of PHPP's Ultrasonic Washing Room, one (1) 55-gallon satellite storage container of hazardous waste "Phosphoric/Nitric Acid" was not marked with the words "hazardous waste" and words that identify the contents of the container.

Env-Wm 509.03(g) requires all satellite storage containers used for the storage of hazardous waste be marked with the following information at the time they are first used to store wastes: the words "hazardous waste" and words that identify the contents of the container.

DES requested that PHPP properly mark all hazardous waste satellite storage containers at the time they are first used to store waste with the words "hazardous waste" and words that identify the contents of the container.

During the January 7, 2004 follow-up visit, DES inspectors confirmed that the one (1) 55-gallon satellite storage container of hazardous waste "Phosphoric/Nitric Acid" was marked with the words "hazardous waste" and words that identify the contents of the container. No further action is required.

7. Env-Wm 807.06(b)(7) - Standards for Generators of Used Oil Being Recycled

At the time of inspection, PHPP had not performed a used oil determination for its used "Centrifuge Oil" generated in the Chip Processing Area. However, on August 12, 2003, PHPP provided a laboratory report indicating that PHPP's used, non-chlorinated centrifuge oil contains 1700 parts per million (ppm) of lead, while the used chlorinated centrifuge oil contains 98 ppm.

Env-Wm 807.06(b)(7) requires generators to conduct an initial used oil determination by analyzing it for all of the parameters specified in Env-Wm 807.02 and Env-Wm 807.03 including arsenic, cadmium, chromium, lead, flash point, and total halogens (exclusive of PCBs if no source of PCBs is present).

As a result of the analytical data provided in the August 12, 2003 PHPP submittal, DES requested that PHPP conduct an additional used oil determination for its used oil waste stream (comprised of a mixture of chlorinated and non-chlorinated oils collected and composite-sampled over a three-month period).

During the January 7, 2004 follow-up visit, PHPP provided the results of the used oil determination requested by DES. The analytical results indicated that the composite sample of PHPP's used non-chlorinated and chlorinated centrifuge oil contained 110 ppm of lead. As a result, the oil may be managed and disposed of as an off-specification used oil for recycle. No further action is required.

8. Env-Wm 1102.04(a)(1) - Universal Waste Accumulation Time Limits

At the time of inspection, DES confirmed that PHPP had stored four (4) boxes of universal waste lamps on-site for longer than one year.

Env-Wm 1102.04(a)(1) prohibits generators from accumulating universal waste for longer than one year from the date that universal waste becomes a waste or is received from another handler.

DES requested that PHPP properly recycle all universal waste lamps that have been accumulated on-site for more than one year.

During the January 7, 2004 follow-up visit, PHPP provided documentation confirming that universal waste lamps were properly recycled off-site. No further action is required.

The June 27 & 30, 2003 inspection revealed that PHPP generates contaminated wipers in the Ultrasonic Washing Room and the Manufacturing Area. According to facility representatives, the wipers are collected for laundering by E & R Cleaners. At the time of the inspection, PHPP's three (3) wiper collection containers were closed; however, all containers were not marked with the words "Contaminated Wipers for Laundering." Contaminated wipers, generated by PHPP, are subject to the DES "Contaminated Cloth Wipers for Laundering" Fact

Sheet (WMD-HW-6) provided during the inspection. However, a portion of the before-mentioned management practices are inconsistent with the established policy. Therefore, DES requested that PHPP amend the current contaminated wiper management and storage practices to establish full compliance.

The January 14, 2004 PHPP submittal provided documentation to substantiate that all contaminated wipers in the Ultrasonic Washing Room and the Manufacturing Area were marked with the words "Contaminated Wipers for Laundering." No further action is required.

DES believes the deficiencies identified during the inspection have been corrected and acknowledges receipt of PHPP's submittals describing the corrective measures taken by PHPP to achieve compliance. Accordingly, no further action in response to the listed deficiencies is required. However, DES personnel may reinspect your facility at a later date to determine whether the facility is maintaining full compliance with the applicable rules. Fines may also be pursued for any or all violations observed during this or subsequent inspections of the facility.

Enclosed you will find a copy of the completed Hazardous Waste Generator Inspection Report which documents the compliance status of your facility at the time of the inspection. This checklist may also be of value to you for use in determining future compliance with the New Hampshire Hazardous Waste Rules.

The State of New Hampshire Hazardous Waste Rules, as well as much other useful information, can be obtained from DES's website at <http://www.des.state.nh.us/hwcs/>, or by contacting the Public Information Center at (603) 271-2975.

It is the goal of DES to promote the prevention of pollution at the source as the preferred option for meeting established environmental quality goals. We strive to ensure that pollution prevention options are considered first, followed by recycling, treatment and disposal. I am requesting that the DES's Pollution Prevention Coordinator, Stephanie D'Agostino, contact you to discuss possibilities for waste minimization or source reduction at your facility. In the meantime, if you have immediate questions about pollution prevention, please feel free to contact her at 271-6398.

As a service to New Hampshire's hazardous waste generators, we maintain a Hazardous Waste Assistance Hotline which is available for you to contact our knowledgeable staff of hazardous waste inspectors. Our hazardous waste staff is available to answer your questions concerning the New Hampshire Hazardous Waste Rules and the compliance issues which affect your hazardous waste management program. The technical assistance available through the Hotline includes fact sheets that pertain to the management and recycling of specific wastes, summary sheets of specific sections of the Hazardous Waste Rules, copies of EPA and New Hampshire hazardous waste policy or regulatory interpretation letters that may benefit your operation, and networks with other state or federal agencies to answer your questions on a national level. The Hotline is available Monday through Friday, 8:00 AM to 4:00 PM toll free at (866) HAZ-WAST (in-state only) or at (603) 271-2942.

If you believe that the deficiencies documented in this NOPV have been cited in error, or if you have any questions regarding this letter, please contact the lead inspector, Eric K. Abrams or John J. Duclos, Supervisor of the Hazardous Waste Compliance Section at 271-2942. Specific questions regarding water related issues may be directed to Sharon Ducharme of DES's Water Division at 271-3307, and for air related issues, please contact Pam Monroe of DES's Air Resources Division at 271-1370. Thank you for your cooperation.

Sincerely,

A large, bold, black 'COPY' stamp is placed over a handwritten signature in black ink. The signature appears to read 'Kenneth W. Marschner'.

Kenneth W. Marschner, Administrator
Waste Management Programs
Waste Management Division

cc: DB/RCRA/NOPV/Archives
Anthony P. Giunta, P.G., Director, Waste Management Division
Gretchen Rule Esq., Administrator, DES Legal Unit
Bill Hoeker, HAZMAT Coordinator, PH Precision Products

E-mail: JJD/SD/SD/PM

Enclosure: Inspection Modules